

1 Kent A. Gardiner (*pro hac vice*)
Kathryn D. Kirmayer (*pro hac vice*)
2 Jerome A. Murphy (*pro hac vice*)
CROWELL & MORING LLP
3 1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
4 Telephone: 202-624-2500
Facsimile: 202-628-5116
5 E-mail: kgardiner@crowell.com
kkirmayer@crowell.com

6 Daniel A. Sasse (CA Bar No. 236234)
Christine E. Cwiertny (CA Bar No. 222098)
CROWELL & MORING LLP
8 3 Park Plaza, 20th Floor
Irvine, California 92614
9 Telephone: 949-263-8400
Facsimile: 949-263-8414
10 E-mail: dsasse@crowell.com
ccwiertny@crowell.com

11 Counsel for Plaintiffs
12 Sun Microsystems, Inc.,
and Unisys Corporation
13

14 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

15 *HONEYWELL INTERNATIONAL INC. v.*
16 *HYNIX SEMICONDUCTOR, INC. ET AL.*

17 Case No. C 06-02917 PJH

18 *SUN MICROSYSTEMS, INC. v. HYNIX*
SEMICONDUCTOR, INC., ET AL.

19 Case No. C 06-01665 PJH

20 *UNISYS CORPORATION v. HYNIX*
21 *SEMICONDUCTOR, INC., ET AL.*

22 Case No. C 06-02915 PJH

JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER
RESCHEDULING CASE
MANAGEMENT CONFERENCE

(CIVIL L.R. 6-2)

23 Pursuant to Civil Local Rule 6-2 of the Federal District Court for the Northern District of
24 California, counsel for Plaintiffs Honeywell International Inc., Sun Microsystems, Inc. ("Sun")
25 and Unisys Corporation ("Unisys") (collectively, "Plaintiffs") and Defendants Mosel Vitelic Inc.,
26 Mosel Vitelic Corp., Hynix Semiconductor, Inc., Hynix Semiconductor America, Inc., Nanya
27 Technology Corporation, Nanya Technology Corporation, USA, Winbond Electronics
28 Corporation, Winbond Electronics Corporation America, Elpida Memory, Inc., Elpida Memory

1 (USA) Inc., Mitsubishi Electric Corporation, Mitsubishi Electric and Electronics USA, Inc.,
2 Mitsubishi Electric Europe B.V., NEC Electronics America, Inc., Samsung Electronics Company,
3 Ltd., and Samsung Semiconductor, Inc., submit this Joint Stipulation and [Proposed] Order
4 Rescheduling the Case Management Conference.

5 WHEREAS, the other named Defendants have been contacted by counsel and do not adopt
6 a position on this motion because they have not been served with the relevant complaint.

7 WHEREAS, the Court has set a Case Management Conference (“CMC”) for July 27,
8 2006, involving each of the above related actions;

9 WHEREAS, Plaintiffs have provided certain defendants with various extensions of time
10 over the next 60-90 days to respond to their complaints and other defendants have not been served;

11 WHEREAS, the parties to Sun’s and Unisys’ actions have discussed and agreed in
12 principle to a stipulation, though they have not reached final agreement, pursuant to which Sun
13 and Unisys may file a Consolidated Amended Complaint;

14 WHEREAS, certain defendants are still attempting to retain counsel to defend them
15 because of conflicts of interest;

16 WHEREAS, it appears that it would be more efficient to conduct the initial CMC after
17 service on all defendants and closer in time to when defendants will respond to Plaintiffs’
18 complaints.

1 NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED:

2 Subject to the Court's convenience and calendar, the initial CMC in the above-captioned
3 cases shall occur on September 21, 2006.

4 Dated: July 20, 2006

LINDQUIST & VENNUM, P.L.L.P

5
6 /s/

7 James M. Lockhart
8 Attorneys for Plaintiff
Honeywell International, Inc.

9 Dated: July 20, 2006

CROWELL & MORING LLP

10
11 /s/

12 Daniel A. Sasse
13 Attorneys for Plaintiff
SUN MICROSYSTEMS, INC.

14 Dated: July 20, 2006

CROWELL & MORING LLP

15
16 /s/

17 Daniel A. Sasse
18 Attorneys for Plaintiff
UNISYS CORPORATION

19 Dated: July 20, 2006

TOPEL AND GOODMAN

20
21 /s/

22 Andrea DeShazo
23 Attorneys for Defendants
MOSEL VITELIC INC. and
24 MOSEL VITELIC CORPORATION

1 Dated July 20, 2006

O'MELVENY & MYERS LLP

2
3 /s/

4 Michael Tubach
5 Kenneth O'Rourke
6 Attorneys for Defendants
7 HYNIX SEMICONDUCTOR, INC. and
8 HYNIX SEMICONDUCTOR AMERICA, INC.
9 Counsel for Hynix in the Sun and Unisys cases only

10 Dated: July 20, 2006

11 /s/

12 Terrence H. Cross
13 General Counsel of Defendant
14 SAMSUNG SEMICONDUCTOR, INC. and
15 Attorney duly authorized to accept service on behalf
16 of Defendant, SAMSUNG ELECTRONICS
17 COMPANY, LTD.

18 Dated: July 20, 2006

THELEN REID & PRIEST, LLP

19 /s/

20 Robert B. Pringle
21 Attorneys for Defendants
22 NEC ELECTRONICS AMERICA, INC.

23 Dated: July 20, 2006

SIMPSON THACHER & BARTLETT LLP

24 /s/

25 Harrison J. Frahn IV
26 Attorneys for Defendants
27 ELPIDA MEMORY, INC., and
28 ELPIDA MEMORY (USA) INC.

1 Dated: July 20, 2006

ORRICK, HERRINGTON & SUTCLIFFE LLP

2
3 /s/

Robert Freitas
Attorneys for
NANYA TECHNOLOGY CORPORATION, and
NANYA TECHNOLOGY CORPORATION,
USA

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6
7 Dated: July 20, 2006

COLLETTE & ERICKSON LLP

8
9 /s/

William Silas Farmer, Jr.
Steven H. Morrisett
Attorneys for Defendants
WINBOND ELECTRONICS CORPORATION,
and
WINBOND ELECTRONICS CORPORATION
AMERICA

10
11
12
13
14 Dated: July 20, 2006

KRIEG, KELLER, SLOAN, REILLEY &
ROMAN, LLP

15
16
17 /s/

Kenneth E. Keller
Michael D. Lisi
Attorneys for
MITSUBISHI ELECTRIC CORPORATION,
MITSUBISHI ELECTRIC AND ELECTRONICS
USA, INC., and
MITSUBISHI ELECTRIC EUROPE B.V.

ATTESTATION

I attest that James M. Lockhart, Daniel A. Sasse, Andrea DeShazo, Kenneth O'Rourke, Robert Pringle, Terrence Cross, Harrison J. Frahn, IV, Robert Freitas, William Farmer, Jr., Kenneth Keller have concurred in the filing of this document and that their original signatures will be retained on-file pursuant to General Order 45, Section X.B.

Dated: July 20, 2006

CROWELL & MORING LLP

/s/

Christine E. Cwiertny

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 25 __, 2006

Honorable PHYLLIS J. HAMILTON
UNITED STATES DISTRICT COURT

